REMARKS

Claims 1-95 are all the claims pending in the application.

Claims 1-95 are pending in the application, although claims 4-91, 93, and 95 have been withdrawn from consideration. Thus, claims 1-3, 92, and 94 have been examined.

In response to the Response filed December 23, 2003, the Examiner repeated the previous prior art rejections. The status of the claims is the following.

Claims 92 and 94 stand rejected under 35 U.S.C. § 102(e) as being anticipated by previously-cited Bastiani et al. (US 6,609,167). Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bastiani et al. in view of previously-cited Kobayashi (US 6,199,122) or in view of previously-cited Kawamura et al. (US 6,408,350) or in view of previously-cited Kagle et al. (US 6,601,056). Claims 1-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bastiani et al. in view of Kobayashi or Kawamura et al. or Kagle et al. in view of Official Notice.

As an initial matter, Applicant notes that according to the instant application, the present invention provides a standardized interface between a computer and a portable personal device having facilities of storing and playing digital contents through a serial or parallel cable. To accomplish this effect, a computer and a portable personal device give or take a request command, a signal indicating that the portable personal device is ready to execute the request command, an execution command and a result of the execution in turn.

However, as is further set forth below, none of the cited references disclose that devices corresponding to a computer and a portable personal device give or take the above commands or data in the above order. Therefore, Applicant submits that the above cited references do not

disclose the present invention, and cannot accomplish the above stated affect of the present invention.

In the December 23, 2004 Response, Applicant argued that Bastiani does not disclose sending from the portable personal device through the serial or parallel cable a signal indicating that the portable personal device is ready to execute the request command to the computer, when the portable personal device is ready to execute the request command, as recited in claim 92. Applicant continues to submit that this distinction exists, and renders this claim patentable.

As shown in col. 29, lines 2-28, Bastiani discloses that the "INSTART" packet is sent by the host to request data from the device. The device responds with either a "DATA0/1" packet containing the requested data or a "NAK" indicating that it cannot provide the data at this time and the host should try again later. If the device can provide the data, it responds with either a DATA0 or DATA1 packet. After each successful transfer of a data packet from the device to the host, which is indicated by the receipt of an ACK, the device will send the next packet. In other words, after the host requests data from the device, the device simply provides the data, without sending a signal indicating that the device is ready to execute the request command. The ACK packet does not perform this feature. Instead, the ACK packet indicates that a data packet was received without CRC errors over the data field and that the data PT was received correctly and the host or device has accepted the data. *See* col. 29, lines 41-44.

In the Response to Arguments on page 9 of the Office Action, the Examiner asserts that in Bastiani et al. the HEARTBEAT packet is used to provide support for removable media devices. The Examiner further asserts that a device must respond to the HEARTBEAT packet

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with an ACK packet if the device is ready and there is no change in media status since the last status read. *See* col. 43, lines 30-34 of Bastiani.

However, Applicant submits that this disclosure of the reference does not correspond to the claimed limitations of claim 92. Recited in claim 92 is the feature of sending from the portable personal device through the serial or parallel cable a signal indicating that the portable personal device is ready to execute the request command to the computer, when the portable personal device is ready to execute the request command. Although Bastiani discloses that a device responds to the HEARTBEAT packet with an ACK packet if the device is ready and there is no change in media status since the last status read, Applicant submits that the response of the device of Bastiani does not correspond to a signal indicating that the portable personal device is ready to execute the request command.

The device responds to the HEARTBEAT packet with an ACK packet, which indicates that the device is "ready." Applicant submits that "ready" in Bastiani does not correspond to "ready to execute the request command" as recited in the claim. The HEARTBEAT packet is used to determine whether a port has had a device attached or removed. If the device is attached and powered, the device should return an ACK. *See* col. 30, lines 14-18. In Bastiani, the device has not received a request command when it responds to the HEARTBEAT packet with an ACK. Rather, the HEARTBEAT packet is used to determine whether a device is able to receive any data. In other words, the HEARTBEAT packet is used to determine whether a device is attached, not whether the device is ready to execute a request command. Determining whether the device is ready to execute a request command would have to be, if it were performed, a

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subsequent operation to determining whether the device is attached. Therefore, Applicant submits that claim 92 is not anticipated by Bastiani et al., for at least this reason.

Additionally, Applicant submits that the reference does not teach or suggest the feature of claim 94 of receiving a response from the portable personal device through the serial or parallel cable for indicating that the portable personal device is ready to execute the request command. Thus, claim 94 is not anticipated by Bastiani for reasons analogous to those presented for claim 92.

Claim 1 of the present invention recites sending from the portable personal device through a serial or parallel cable a signal indicating that the portable personal device is ready to format to the computer, when the portable personal device is ready to format. In the rejection of claims 92 and 94, the Examiner asserts that this feature of the claim is disclosed by Bastiani. However, Bastiani does not disclose this feature of the claim for reasons analogous to those presented above for claims 92 and 94.
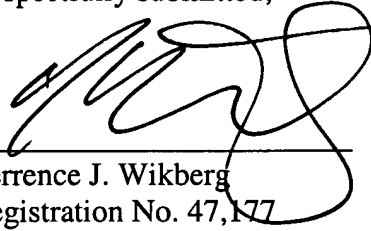
Furthermore, Applicant submits that Kobayashi, Kawamura and Kagle fail to make up for the deficiencies of Bastiani. Therefore, claim 1 and its dependent claims 2 and 3 are also allowable over the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Terrence J. Wikberg
Registration No. 47,177

WASHINGTON OFFICE

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